



Tree Assistance Program

Funded by the Military Construction and Emergency Hurricane Supplemental Appropriations Act, 2005

Overview

USDA Farm Service Agency's (FSA) Tree Assistance Program (TAP) provides financial relief to owners of eligible trees, bushes, vines, and forest land damaged by natural disasters that occurred during the period beginning Dec. 1, 2003, and ending Dec. 31, 2004.

Funding for TAP was authorized by the Military Construction and Emergency Hurricane Supplemental Appropriations Act, 2005 (2005 Appropriations Act).

Eligible Applicants

Eligible TAP applicants are:

- Owners of eligible trees, bushes and vines from which an annual crop is produced for commercial purposes;
- Forest land owners who produce crops of timber for commercial purposes; and
- Pecan producers.

Qualifying for TAP Assistance

To qualify for TAP, eligible applicants must:

- have suffered qualifying tree, bush, or vine losses of 15 percent or greater from a natural disaster for the individual stand, plus normal mortality;

- have owned the eligible forest trees when the natural disaster occurred; however, eligible orchardists are not required to own the land on which eligible trees, bushes, and vines are planted;
- be in compliance with highly erodible land conservation and wetland conservation provisions;
- replace eligible trees, bushes, and vines within 12 months from the date the application is approved; and
- rehabilitate pecan trees within 12 months from the date the application is approved.

Sign-up

TAP sign-up begins Feb. 7, 2005, and ends May 31, 2005. Eligible producers should apply at their local FSA office.

Other FSA Program Assistance for the Same Losses

Producers who received payments under Section 32 of the Act of August 24, 1935, for 2004 hurricane losses are ineligible to receive benefits under the general TAP and for forest timber. However, producers may receive both Section 32 payments and TAP payments for pecan rehabilitation. In addition, producers are ineligible for both FSA Emergency Conservation Program and TAP assistance for the same losses.

Disaster Assistance for Orchardists

Funding as necessary has been authorized for benefits under the 2005 Appropriations Act for losses which occurred during the period beginning Dec. 1, 2003, and ending Dec. 31, 2004, for eligible orchardists to replant trees, bushes and vines that were grown to produce an annual crop. Benefits will not be prorated.

Disaster Assistance for Forest Timber

The 2005 Appropriations Act authorized \$15 million for assistance to eligible producers who meet all requirements and produce periodic crops of forest timber for commercial use, and who suffered timber losses or damage during the period beginning Dec. 1, 2003, and ending Dec. 31, 2004. If all eligible claims filed during the application period are greater than the available funds, benefits will be prorated.

Disaster Assistance for Pecan Trees

The 2005 Appropriations Act authorized \$8.5 million in TAP assistance for producers who suffered crop damage to pecan trees. The funds will reimburse producers for pruning, rehabilitation and other related costs. Pecan producers

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must be located in a Presidentially-declared disaster county that suffered hurricane or tropical storm-related tree losses related to the 2004 hurricane season. If all eligible claims filed during the application period are greater than the available funds, benefits will be prorated.

Providing Evidence of Loss

To be considered an eligible loss, the tree, bush, or vine damage must be visible and obvious to the local FSA county committee. If, however, physical evidence of the lost trees, bushes, and vines no longer exists, the applicant must provide acceptable evidence for FSA to determine that the trees, bushes, and vines existed and were lost due to a natural disaster. Acceptable evidence may include the following:

- receipts for the original purchase of the eligible trees, bushes, and vines;
- documentation of labor and equipment used to plant or remove the eligible trees, bushes, and vines; and
- chemical, fertilizer, or other related receipts.

Program Payments

Program participants are reimbursed for the lesser of:

1. 75 percent of the actual costs to replant the number of eligible trees, bushes, and vines

and, for pecan producers, 75 percent of the actual costs to rehabilitate the trees; or

2. the calculated amount using the established rates.

TAP program participants are limited to \$75,000 per "person" in TAP payments for the 2004 through 2007 crop years. In addition, each person is limited to 500 qualifying acres for all TAP payments.

Replanting Trees, Bushes, and Vines

Trees, bushes, and vines may be replanted on a field that is not the field where the losses originally occurred. Also, replanted trees, bushes, and vines may be different than those damaged as long as they have the same general end use, as determined by FSA.

For More Information

More information on TAP is available at local FSA offices and on FSA's Web site at:
www.fsa.usda.gov

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